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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,316	06/27/2000	Gary R. Tidwell	BS99-124	5129

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EXAMINER

STIMPAK, JOHNNA

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/604,316	Applicant(s) TIDWELL ET AL.	
	Examiner Johnna R. Stimpak	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,9-19,29-33 and 36-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,9-19,29-33 and 36-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

HC

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/26/05 has been entered.

2. Claims 1, 12, 29 and 38 have been amended. Claims 21-28 and 46-53 are cancelled. Claims 1-6, 9-19, 29-33 and 36-45 are pending and have been examined on the merits discussed below.

Response to Arguments

3. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. Applicant argues that the combination of Jones, US 6,219,648, in view of Peregrine's MELBA, further in view of Teglovic, US 5,692,030 does not teach severity being indicated as a number on a scale, and an indication that the status of the trouble ticket has escalated where the severity has been increased. Examiner respectfully disagrees. Jones teaches escalations levels, i.e., 1, 2, 3, 4, 5, etc, to indicate the age of the trouble ticket wherein an escalation level of 1 indicates an age ranging from 180 to 210 minutes. When the age reaches that range an alert is sent. For escalation level 2 ranging from 240-260 minutes, another alert is sent. The age is indicated as a number on a scale wherein the lowest number indicates lowest severity since the age is not that high, but as the escalation level increases, the

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age increases thereby increasing the severity level. The previous rejection have been modified to show this teaching in Jones.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 9, 11-13, 16-19, 21-25, 29-33, 36, 38, 39, 42-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al, U.S. Patent No. 6,219,648 B1, in view of Peregrine's MELBA, as disclosed in the article entitled "Peregrine Systems Forms Alliance with Mitsubishi Electronics America; Integrated Enterprise Applications to be Developed" and Teglovic et al, US 5,692,030.

As per **claim 1**, Jones et al teaches a server in communication with an electronic network (column 7, lines 40-44, 49-51, 62-67 – a paging server is used to facilitate notification of trouble ticket alerts); a database in communication with the server, the database storing a plurality of trouble tickets (column 5, lines 55-60, column 6, lines 49-56) – information pertaining to trouble tickets is stored); a user computer in communication with the network and having access, via a graphical user interface (GUI), to the server, the graphical user interface including at least one screen, the screen being operable to enter a new trouble ticket along with (i) a person responsible for resolving the ticket (column 6, lines 5-12, lines 40-49, column 5, lines 55-60 – service center personnel enter trouble ticket information such as ID of the technician involved in resolution)

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and (ii) a severity level for the trouble ticket with the severity being indicated as a number on a scale between an initial number indicating lowest severity and a last number indicating a highest severity, (column 5, lines 55-67 – escalation levels are entered for the trouble ticket which alert appropriate personnel to respond; column 12, lines 15-18 – escalation levels, i.e., 1, 2, 3, 4, etc; column 14, lines 9-45 - escalations levels, i.e., 1, 2, 3, 4, 5, etc, to indicate the age of the trouble ticket wherein an escalation level of 1 indicates an age ranging from 180 to 210 minutes - when the age reaches that range an alert is sent. For escalation level 2 ranging from 240-260 minutes, another alert is sent. The age is indicated as a number on a scale wherein the lowest number indicates lowest severity since the age is not that high, but as the age increases the escalation level increases, thereby increasing the severity level) (iii) an indication that a status of the trouble ticket has been escalated where the severity has been increased (column 14, lines 9-45 – when the escalation level increases and alert is sent to the appropriate recipient); and to store the trouble ticket in the database (column 11, lines 15-20 – data records stored in memory); and a paging system, in communication with the server, wherein when the severity level associated with the trouble ticket is above a predetermined threshold, the server automatically initiates a call to the person responsible via the paging system (column 7, lines 55-67 – when alerting criteria is satisfied, the managing module sends an alert through a paging server to a specified person).

Jones et al teaches all the limitation of claim 1 but does not explicitly teach means for sharing the trouble ticket data with an organization that operates under outside contract, the organization assigning its own tracking number to a given trouble ticket or the tracking number being stored in the database of the trouble tracking system and also does not explicitly teach storing information relating to whether a resolution of a trouble ticket, proposed by outsourced

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personnel who work for the organization, has been approved by internal personnel for whom the outsourced personnel are working . Peregrine's MELBA system allows customers to share trouble ticket information with outsourced contractors wherein opening a trouble ticket on the internal service would automatically open a corresponding ticket on an outsourcing contractor's help desk (page 1, paragraphs 2 and 3). The system is also updated as new information becomes available during work on open tickets (page 1, paragraphs 2 and 3). The system is also monitors and reports on the status of the ticket until resolution (page 1, paragraphs 2 and 3). Both Jones et al and Peregrine's MELBA teach trouble ticket systems wherein the tickets are created and the appropriate service providers are alerted to resolve the issue. The systems in both references perform the same functions, but Peregrine's MELBA goes one step further in that the trouble ticket can be acted upon by outside contractors in addition to other service providers. In Peregrine's MELBA opening a trouble ticket on an internal service desk automatically opens a ticket on an outside contractors help desk, therefore it would have been obvious to one of ordinary skill at the time of the invention to include Peregrine's outsourced contractors as recipients of the trouble tickets created in Jones et al because the capabilities of the system would allow for faster, more accurate interaction, collaboration, problem diagnosis and resolution of support/problems.

The combination of Jones and MELBA does not explicitly teach the trouble ticket being closed upon approval from the internal personnel indicating the resolution is approved. As stated above, the combination of Jones and MELBA teaches communication between two organizations, one being contracted or outsourced. The communication involves sharing trouble ticket information and monitoring and reporting the status of the ticket. Teglovic et al teaches

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communication between two entities for the resolution of the trouble ticket. Specifically, the ticket is created at a long distance carrier (manager) and transmitted to a Telco site (a local exchange carrier (LEC) contracted or outsourced to perform repairs). Once the LEC completes the job, an electronic notice goes to a manager indicating the problem is fixed. The manager verifies the repair (approves) before confirming closure of the ticket (column 8, lines 54-62). Since the combination of Jones and MELBA and Teglovic et al all teach trouble ticket resolution systems wherein a trouble ticket is shared between an organization and another contracted or outsourced organization it would have been obvious to one of ordinary skill at the time of the invention to include the approval process of Teglovic et al with the trouble ticket communication system of Jones and MELBA to ensure each trouble ticket resolution is completed properly.

As per **claim 2**, Jones et al teaches an email server, wherein the email server automatically sends an email message to the person responsible for resolving the ticket and the email message includes at least a trouble ticket number (column 3, lines 45-47, column 5, lines 51-60 – an email message is sent upon alert, including trouble ticket number).

As per **claim 3**, Jones et al teaches a report creation module, the report creation module being operable to generate reports based on the plurality of trouble tickets stored in the database (column 8, lines 55-67).

As per **claim 4**, Jones et al teaches a duplicate search module, the duplicate search module identifying at least one of an actual or a potential duplicate trouble ticket stored in the database (column 10, lines 11-18 – the parsing module searches ticket numbers to see if there are duplicate numbers, if so, the second ticket is ignored).

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As per **claim 5**, Jones et al teaches the duplicate search module lists at least one pair of the actual or potential duplicate trouble tickets (column 10, lines 4-18 – the parsing manager sorts the master ticket numbers which are associated with each trouble ticket, when a first and second trouble ticket have the same master ticket number, the second can be ignored).

As per **claim 6**, Jones et al in view of Peregrine's MELBA teaches the trouble tickets comprise at least one of a problem (column 5, lines 55-60) and an inquiry (column 5, lines 55-60), but does not teach adding a bill notification and a user acceptance data issue to the database. Official notice is taken that it is old and well known that when a service is performed a charges will incur. It would have been obvious to add billing information to the database for proper record keeping. It would also be obvious to include user acceptance data. It is also old and well known that when a service is performed there may be other non-related or related services that could be performed that are not known at the time the trouble ticket is processed. It would be obvious to make note of this and get the acceptance from the user. If the user agrees, the service can be performed and an appropriate charge will be made. The motivation for adding the billing information and user acceptance information would be to keep an accurate record of charges to be made for services provided. This will also cut down on services being provided that are not wanted by the user.

As per **claim 9**, Jones et al teaches the database further stores status information (column 9, lines 1-22).

As per **claim 11**, Jones et al teaches the network comprises the Internet (column 6, lines 28-32).

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As per **claim 12**, Jones et al teaches a plurality of computers interconnected in a network, one of the computers including a trouble ticket database and an executable program for accessing and updating the database and each of the computers having access to a graphical user interface (GUI), the GUI including at least one screen operable to add a new trouble ticket to the database (column 6, lines 5-34), each trouble ticket including at least (i) a description of the issue (inherently a trouble ticket will include some description of the issue or problem), (ii) a person responsible for resolving the issue (column 8 lines 65-67 the report indicates the appropriate service center to handle the ticket, column 9, the position field indicates the technician assigned to the trouble ticket) and (iii) a severity level of the issue with the severity being indicated as a number on a scale between an initial number indicating lowest severity and a last number indicating a highest severity, (column 5, lines 55-67 – escalation levels are entered for the trouble ticket which alert appropriate personnel to respond; column 12, lines 15-18 – escalation levels, i.e., 1, 2, 3, 4, etc; column 14, lines 9-45 - escalations levels, i.e., 1, 2, 3, 4, 5, etc, to indicate the age of the trouble ticket wherein an escalation level of 1 indicates an age ranging from 180 to 210 minutes - when the age reaches that range an alert is sent. For escalation level 2 ranging from 240-260 minutes, another alert is sent. The age is indicated as a number on a scale wherein the lowest number indicates lowest severity since the age is not that high, but as the age increases the escalation level increases, thereby increasing the severity level) (iv) an indication that a status of the trouble ticket has been escalated where the severity has been increased (column 14, lines 9-45 – when the escalation level increases and alert is sent to the appropriate recipient); an email system in communication with the executable program, the executable program automatically emailing a trouble ticket number to the person responsible for resolving

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the issue (column 7, lines 62-67, column 8, lines 1-4 – the error manager alerts the appropriate personnel by email); and a paging system automatically paging the person responsible for resolving the issue based on whether the trouble ticket has been escalated when the severity level of the trouble ticket is above a predetermined threshold (column 7, lines 62-67, column 8, lines 1-4 – the error manager alerts the appropriate personnel by paging; column 14, lines 9-45 – when the escalation level increases and alert is sent to the appropriate recipient).

Jones et al teaches all the limitation of claim 1 but does not explicitly teach means for sharing the trouble ticket data with an organization that operates under outside contract, the organization assigning its own tracking number to a given trouble ticket or the tracking number being stored in the database of the trouble tracking system and also does not explicitly teach storing information relating to whether a resolution of a trouble ticket, proposed by outsourced personnel who work for the organization, has been approved by internal personnel for whom the outsourced personnel are working . Peregrine's MELBA system allows customers to share trouble ticket information with outsourced contractors wherein opening a trouble ticket on the internal service would automatically open a corresponding ticket on an outsourcing contractor's help desk (page 1, paragraphs 2 and 3). The system is also updated as new information becomes available during work on open tickets (page 1, paragraphs 2 and 3, inherently the status update would relay and store information concerning whether resolution of a trouble ticket has been approved; if the contractors accept the open trouble ticket for resolution, the system will update the status until the incidents are resolved). The system is also monitors and reports on the status of the ticket until resolution (page 1, paragraphs 2 and 3). Both Jones et al and Peregrine's MELBA teach trouble ticket systems wherein the tickets are created and the appropriate service

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providers are alerted to resolve the issue. The systems in both references perform the same functions, but Peregrine's MELBA goes one step further in that the trouble ticket can be acted upon by outside contractors in addition to other service providers. In Peregrine's MELBA opening a trouble ticket on an internal service desk automatically opens a ticket on an outside contractors help desk, therefore it would have been obvious to one of ordinary skill at the time of the invention to include Peregrine's outsourced contractors as recipients of the trouble tickets created in Jones et al because the capabilities of the system would allow for faster, more accurate interaction, collaboration, problem diagnosis and resolution of support/problems.

The combination of Jones and MELBA does not explicitly teach the trouble ticket being closed upon approval from the internal personnel indicating the resolution is approved. As stated above, the combination of Jones and MELBA teaches communication between two organizations, one being contracted or outsourced. The communication involves sharing trouble ticket information and monitoring and reporting the status of the ticket. Teglovic et al teaches communication between two entities for the resolution of the trouble ticket. Specifically, the ticket is created at a long distance carrier (manager) and transmitted to a Telco site (a local exchange carrier (LEC) contracted or outsourced to perform repairs). Once the LEC completes the job, an electronic notice goes to a manager indicating the problem is fixed. The manager verifies the repair (approves) before confirming closure of the ticket (column 8, lines 54-62). Since the combination of Jones and MELBA and Teglovic et al all teach trouble ticket resolution systems wherein a trouble ticket is shared between an organization and another contracted or outsourced organization it would have been obvious to one of ordinary skill at the time of the

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invention to include the approval process of Teglovic et al with the trouble ticket communication system of Jones and MELBA to ensure each trouble ticket resolution is completed properly.

As per **claim 13**, Jones et al teaches the paging system transmits the trouble ticket number (column 2, lines 25-31).

As per **claim 16**, Jones et al in view of Peregrine's MELBA teaches the trouble tickets comprise at least one of a problem (column 5, lines 55-60) and an inquiry (column 5, lines 55-60), but does not teach adding a bill notification and a user acceptance data issue to the database. Official notice is taken that it is old and well known that when a service is performed a charges will incur. It would have been obvious to add billing information to the database for proper record keeping. It would also be obvious to include user acceptance data. It is also old and well known that when a service is performed there may be other non-related or related services that could be performed that are not known at the time the trouble ticket is processed. It would be obvious to make note of this and get the acceptance from the user. If the user agrees, the service can be performed and an appropriate charge will be made. The motivation for adding the billing information and user acceptance information would be to keep an accurate record of charges to be made for services provided. This will also cut down on services being provided that are not wanted by the user.

As per **claim 17**, Jones et al teaches a duplicate trouble ticket module (column 10, lines 11-18 – the parsing module searches ticket numbers to see if there are duplicate numbers, if so, the second ticket is ignored).

As per **claim 18**, Jones et al teaches a report creation module (column 8, lines 55-67).

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As per **claim 19**, Jones et al teaches the database is accessible via the Internet (column 6, lines 28-32).

As per **claims 29-33 and 36**, they are the method for performing the steps of the system in claims 1-6 and 9, therefore the same rejection as applied to claims 1-6 and 9 apply to claims 29-33 and 36.

As per **claims 38, 39 and 42-45**, they are the method for performing the steps of the system in claims 12, 13 and 16-19, therefore the same rejection as applied to claims 12, 13 and 16-19 also applies to claims 38, 39 and 42-45.

5. **Claims 10, 14, 15, 37, 40, 41 and 53** are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al in view of Peregrine's MELBA and Teglovic et al, further in view of Kidder et al, US Patent No. 6,445,774 B1.

As per **claim 10**, Jones et al in view of Peregrine's MELBA and Teglovic et al teaches all the limitation of claim 10 as applied to claim 1, but does not teach the database further stores information associating a trouble ticket to a geographical region. Kidder et al teaches recording the site location data (column 11, line 35). It would have been obvious to one of ordinary skill in the art to include the geographical information of Kidder et al in the trouble ticket of Jones et al for tracking purposes and for purposes of assigning responsible personnel. Doing this would give the responsible personnel more information to lead to the resolution of the problem. The personnel would be more informed as to the location of the problem and would know exactly where to go. This would cut down on wasting time trying to track down the problem.

As per **claim 14**, Jones et al in view of Peregrine's MELBA and Teglovic et al teaches new trouble ticket fields including status (Jones: column 9, lines 50-54) but does not teach the screen operable to add a new trouble ticket includes a field indicating the closed date of the trouble ticket. Kidder et al teaches storing a "terminate message" conveying that the ticket has been closed (column 13, lines 2-5). It is old and well known in the art that trouble tickets are "closed out" upon delivery of service as an indication that the problem does not need to be attended to. Jones et al teaches recording the open date of the trouble ticket so it would have been obvious to one of ordinary skill in the art to incorporate the recordation of the closed date of Kidder et al into the trouble ticket of Jones et al to provide for an indication that the particular matter does not need any further consideration. This is helpful for saving time from attending to problems that have already been resolved.

As per **claim 15**, Jones et al in view of Peregrine's MELBA and Teglovic et al teaches all the limitation of claim 15 as applied to claim 12, but does not teach the database further stores information associating a trouble ticket to a geographical region. Kidder et al teaches recording the site location data (column 11, line 35). It would have been obvious to one of ordinary skill in the art to include the geographical information of Kidder et al in the trouble ticket of Jones et al for tracking purposes and for purposes of assigning responsible personnel. Doing this would give the responsible personnel more information to lead to the resolution of the problem. The personnel would be more informed as to the location of the problem and would know exactly where to go. This would cut down on wasting time trying to track down the problem.

As per **claim 37**, it is the method of the steps of the system of claim 10; therefore the same rejection as applied to claim 10 also applies to claim 37.

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As per **claim 40**, it is the method of the steps of the system of claim 14; therefore the same rejection as applied to claim 14 also applies to claim 40.

As per **claim 41**, it is the method of the steps of the system of claim 15; therefore the same rejection as applied to claim 15 also applies to claim 41.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Adams et al, US 6,449,341 – apparatus and method for managing a software system via analysis of call center trouble tickets

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnna R. Stimpak whose telephone number is 571-272-6736.


The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS
9/20/05



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